

## LEGISLATIVE MINUTES

### MARLBORO TOWNSHIP COUNCIL MEETING

June 12, 2008

The Marlboro Township Council held a "Special" Council Meeting on June 12, 2008 at 7:45 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor announced that pursuant to the provisions of the Open Public Meetings Act, notice of this special meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press and News Transcript on June 10, 2008; posted on the Bulletin Board of the Municipal Building and the Township website; and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilman LaRocca, Councilwoman Marder, Council Vice President Rosenthal, Councilwoman Tragni and Council President Cantor.

Also present were: Mayor Hornik, Ronald Gordon, Esq. and Municipal Clerk Alida Manco.

Citizen's Voice - There was no one who wished to speak.

The following Resolution #2008-207 (Authorizing Execution of an Addendum Amending RCA between Marlboro Township and Trenton) was introduced by reference, offered by Councilwoman Tragni and seconded by Council Vice President Rosenthal. Discussion following, during which Ronald Gordon, Esq. explained the agreement and answered Council's questions. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

#### RESOLUTION # 2008-207

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ADDENDUM  
AMENDING THE REGIONAL CONTRIBUTION AGREEMENT (RCA)  
BETWEEN THE TOWNSHIP OF MARLBORO AND THE CITY OF TRENTON

WHEREAS, the Township of Marlboro, Monmouth County has a fair share obligation to provide housing opportunities to low and

moderate income households as established by the New Jersey Supreme Court and by the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, *et seq.* (the "Act"); and

WHEREAS, the Act provides that municipalities within the same housing region, as defined by the Council on Affordable Housing ("COAH"), may meet up to 50 percent of that obligation through a regional contribution agreement ("RCA"), under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing, which is then credited toward the sending municipality's fair share obligation; and

WHEREAS, the Township of Marlboro and the City of Trenton are in the same housing region as defined by COAH; and

WHEREAS, by Resolution #2004-183 the Township of Marlboro authorized the execution of an RCA with the City of Trenton, whereby the Township of Marlboro proposed to transfer 332 units of its fair share obligation at a cost of Twenty Thousand Dollars (\$20,000.00) per unit, or a total amount of Six Million Six Hundred Forty Thousand Dollars (\$6,640,000) to the City of Trenton; and

WHEREAS, the RCA was executed and dated July 1, 2004 by duly authorized representatives of the Township of Marlboro and the City of Trenton; and

WHEREAS, COAH has directed that the Township of Marlboro and the City of Trenton amend and supplement the 2004 Regional Contribution Agreement as set forth in the attached Addendum Amending the duly authorized and executed RCA; and

WHEREAS, both the Township of Marlboro and the City of Trenton continue to recognize the validity and enforceability of the 2004 RCA, and desire to execute the attached Addendum Amending the 2004 RCA as set forth in the attached Addendum; and

WHEREAS, the attached Addendum amends Article 2 of the 2004 RCA, changing and clarifying the responsibilities of the Township of Marlboro, including but not limited to changing the per unit cost from Twenty Thousand Dollars (\$20,000.00) per unit to Twenty Five Thousand Dollars (\$25,000.00) per unit or from a total amount of Six Million Six Hundred Forty Thousand Dollars (\$6,640,000.00) to a total amount of Eight Million Three Hundred Thousand Dollars (\$8,300,000.00) as directed by COAH; and

WHEREAS, the attached Addendum also amends Article 3 of the 2004 RCA, changing and clarifying the responsibilities of the City of Trenton, and adds Article 6 detailing certain contingencies as directed by COAH; and

WHEREAS, the execution of an Addendum Amending the 2004 RCA is in the best interests of the City of Trenton and the Township of Marlboro.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro, Monmouth County, State of New Jersey that the Mayor is hereby authorized to execute the Addendum Amending the 2004 RCA with the City of Trenton, in a form substantially similar to the attached form of Addendum; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Mayor Jonathan Hornik
- b. Mayor Douglas Palmer
- c. Marlboro Township Administrator
- d. Trenton Municipal Clerk
- e. DeCotiis, Fitzpatrick, Cole & Wisler

At 7:55 PM, Councilwoman Tragni moved that the meeting be adjourned. This was seconded by Councilwoman Marder, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: July 17, 2008

OFFERED BY: Tragni                      AYES:              4

SECONDED BY: Marder                      NAYS:              0

ABSENT: Cantor

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ALIDA MANCO  
MUNICIPAL CLERK

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JEFF CANTOR  
COUNCIL PRESIDENT

